

ORIGINAL

Brianelm.voir

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FILED

DISTRICT COURT OF GUAM

JUN - 8 2007

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRIAN WILLIAM ELM,

Defendant.

CRIMINAL CASE NO. 07-00026

UNITED STATES'
[PROPOSED]
VOIR DIRE

Pursuant to the order of this Court and Federal Rule of Criminal Procedure 24(a), the United States submits the following proposed voir dire questions.

A. WITNESSES (Assuming that the Court reads the names of the attorneys and the trial witnesses to the panel.)

1. Are any of you friendly or associated or related with the attorneys for the United States, or for the defense, in this case, either socially or through your role as jurors in other cases? If so, please explain the nature of the prior knowledge and how it may affect your attitude as a juror in this case.

2. Do any of you know any of the witnesses who will testify? If so, please describe your acquaintance.

3. Do any of you know the defendants or their family members socially or through some business or other acquaintanceship? If so, please describe the association.

1 B. GENERAL INFORMATION

2 4. The government requests that the court ask each juror to give a verbal
3 summary of the following information:

4 5. Please explain for us the nature and extent of your educational background,
5 including any special training courses and vocational seminars you have attended. If you
6 attended college, what was your major field of study?

7 6. Are you married? Do you: live alone? Share house with another person or
8 persons? Live with family?

9 7. Please describe the nature of your employment and that of your spouse, if you
10 are married.

11 8. Please describe your immediate family and, how each formally employed
12 member is employed, the nature of any past employment, and the educational background of your
13 immediate family.

14 9. Please explain your past experience on juries in both civil and criminal cases.
15 Tell us when the case was tried and the nature of the case.

16 10. Is there anything about the nature of this case, that involves allegations of
17 False Swearing before the Court, that makes you wish not to be involved in the trial of this case?
18 If so, what is it?

19 11. Do you have any fixed view about the United States Department of Justice or
20 the Drug Enforcement Administration that would affect your ability to be an impartial juror in
21 this case?

22 C. OTHER MATTERS

23 12. Has anyone talked to you about this case or attempted to influence you in any
24 way about it since you were notified you were on the jury panel? Who? When? Where? Who
25 else was present? What did you say? Before you were so notified, did anyone attempt to
26 influence you about jury service on this matter? Please tell us the details of that.

1 13. Have you, your relatives or close friends ever been charged with or
2 investigated for a crime? If so, what was the nature of this investigation or charge? How was it
3 handled?

4 D. GENERAL QUALIFICATION

5 14. Would you judge this case solely on the evidence before you, and not allow
6 anything else to affect your verdict?

7 15. Would you be able to decide this case if your decision had to be based only
8 on how believable you found the witnesses to be?

9 16. Do you know any reason whatsoever why you may not sit as a fair and
10 impartial juror to both sides in this case?

11 RESPECTFULLY SUBMITTED this 2nd day of June, 2007.

12 LEONARDO M. RAPADAS
13 United States Attorney
Districts of Guam and NMI

14 By:

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16 KARON V. JOHNSON
Assistant U.S. Attorney